

Specialty Construction Inc.

February 10, 2012

Via Email

Dave Flynn, Deputy Director
County of San Luis Obispo
Department of Public Works
Room 207, County Government Center
976 Osos Street
San Luis Obispo, CA 93408
dflynn@co.slo.ca.us

Re: Bridge Widening on Price Canyon near Edna, CA
HP21L-5949(126), BHL5949(062), BHL5949(063)

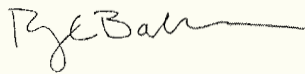
Subject: Projects Awarded based on Good Faith Efforts

Mr. Flynn,

Please find attached support information from the Central Coast Water Authority (Exhibit D) pertaining to their award to Specialty Construction, Inc. as the low, responsive bidder for the Encasement of 42" Pipeline for San Luis Obispo County Willow Road Project. Also attached please find Form 15-G1 Local Agency UDBE Commitment for the three lowest bidders for the project.

Sincerely,

SPECIALTY CONSTRUCTION, INC.



Rudolph C. Bachmann
President

C: DC, JM, TS

Enclosures:
Exhibit D (5 pages)



CENTRAL COAST WATER AUTHORITY

MEMORANDUM

October 14, 2011

TO: Board of Directors

FROM: John Brady, Operations Manager/Engineer

SUBJECT: County of San Luis Obispo, Willow Road Extension Project

Background

The County of San Luis Obispo (County) will be constructing the new Willow Road extension over the CCWA pipeline, near Thompson Road in the Community of Nipomo. Accordingly, the Department of Water Resources (DWR) has issued an encroachment permit for this project which requires the pipeline to be encased with reinforced concrete. As allowed by the DWR/CCWA Operations and Maintenance Agreement, CCWA will be directly managing the installation of the concrete encasement for the pipeline.

Following CCWA Board authorization, a Utility Agreement for Design Services was executed between County and CCWA in March 2011. This agreement outlined the roles and responsibilities of the County and CCWA with regard to the design phase of the encasement project. Pursuant to the Utility Agreement, the County paid CCWA \$37,955 in advance to cover all costs associated with the design phase of the project. The design is complete and competitive construction bids were solicited in early October 2011.

For the construction phase of the project, CCWA legal counsel prepared a Utility Agreement for Construction Services. This agreement requires advanced funding to cover costs for construction, engineering support, legal review and CCWA labor. The County agreed to pay \$222,000 for this phase of the project. Consistent with the obligations of the Utility Agreement for Design Services, the CCWA Executive Director signed the Utility Agreement for Construction Services. The County in turn executed the Agreement and paid CCWA \$222,000 to fund the project.

Discussion

As discussed above, the Executive Director signed the Utility Agreement for Construction Services prior to receiving full Board approval. This action will require Board ratification. The Executive Director signed the Utility Agreement in advance of Board approval because (1) it would ensure advanced project funding would be secured from the County in a timely manner, (2) the Utility Agreement for Design Services states that CCWA would sign the Utility Agreement for Construction Services once design work was completed and (3) the Board has been kept fully informed on the project with periodic status reports during the regularly scheduled Board meetings.

To prepare for the construction phase of the project, CCWA staff solicited competitive bids for constructing the concrete encasement through issuing and advertising a formal Request For Bids (RFB) on September 21, 2011. Also, in response to bidder requests for information, one Addendum was issued for the encasement project on October 3, 2011. Sealed bids were publically opened on October 7, 2011, following the procedures described in the RFB. The results of the competitive bidding are tabulated below:

Board Report for Willow Road Project
October 14, 2011
Page 2

Willow Road 42-inch Concrete Encasement Project Preliminary Bid Results – Friday October 7, 2011, 3:00 PM		
Contractor	Total Bid Amount	Comment
Tomar Construction, Inc.	\$103,944.00	Staff concludes Bid is non-responsive to RFB
Specialty Construction, Inc.	\$170,450.00	Staff concludes Bid is lowest and responsive to RFB
Lopez Jr. & Sons	\$178,312.55	
Granite Construction	\$184,198.00	
John Madonna Construction	\$247,650.00	

Staff reviewed the low Bids to determine if they were responsive the requirements specified in the RFB. One requirement of the RFB states "Each Bidder shall also have no less than five (5) years experience in the magnitude and character of the work bid, including successful completion of at least five (5) similar type projects". In reviewing the Tomar Construction, Inc. Bid, staff made the following observations:

- The list of representative projects provided in the Tomar Construction, Inc. Bid did not include projects that CCWA staff considered to be of similar magnitude and character. The information submitted as part of the Bid indicates that Tomar Construction's experience is primarily in building construction, as opposed to major civil work.
- Based on a license check through the California State Contractor's License Board website, Tomar Construction, Inc. has maintained a Class B (General Building Contractor) license since 1994, and added the Class A license (General Engineering Contractor) in April 2011. The current Responsible Managing Officer (RMO) for Tomar Construction, Inc. is Mr. John Fkiaras, who was the qualifier for the Class A license. Mr. John Fkiaras earned the Class A license in December 2009 as a sole proprietor of Smiley Engineering Construction.

Based on the findings presented above, CCWA staff concluded that Tomar Construction, Inc. does not have the requisite five years of experience of work that is similar in magnitude and character and has not completed five similar type projects. Accordingly, staff concludes that the Tomar Construction, Inc. Bid is non-responsive to the RFB requirements.

Financial Considerations

Due to the terms and conditions set forth in the Utility Agreement for Construction Services, all project costs incurred by CCWA will be reimbursable and paid in advance by the County of San Luis Obispo. The County has already paid CCWA the advance project funds in the amount of \$222,000. Based on current project cost estimates, this amount is more than sufficient to cover the costs of the project.

Recommendation

That the Board:

1. Ratify the Executive Director's action of signing the Utility Agreement for Construction Services for the Willow Road Extension Project.
2. Reject the Tomar Construction, Inc. Bid as being non-responsive the requirements of the RFB.
3. Award the construction contract for the Willow Road Encasement Project to Specialty Construction, Inc. as the lowest responsive bidder.

Local Assistance Procedures Manual

EXHIBIT 15-G1
Local Agency Bidder UDBE Commitment (Construction Contracts)

EXHIBIT 15-G1 LOCAL AGENCY BIDDER UDBE COMMITMENT (CONSTRUCTION CONTRACTS)

NOTE: PLEASE REFER TO INSTRUCTIONS ON THE REVERSE SIDE OF THIS FORM				
LOCAL AGENCY: <u>Central Coast Water Authority</u>		LOCATION: <u>Nipomo, CA</u>		
PROJECT DESCRIPTION: <u>Encasement of 42" Pipeline for San Luis Obispo County Willow Road Extension Project</u>				
TOTAL CONTRACT AMOUNT: \$ <u>170,450</u>				
BID DATE: <u>10/7/11</u>				
BIDDER'S NAME: <u>Specialty Construction, Inc.</u>				
CONTRACT UDBE GOAL: <u>7.1%</u>				
CONTRACT ITEM NO.	ITEM OF WORK AND DESCRIPTION OR SERVICES TO BE SUBCONTRACTED OR MATERIALS TO BE PROVIDED (or contracted if the bidder is a UDBE)	UDBE CERT NO. AND EXPIRATION DATE	NAME OF EACH UDBE (Must be certified on the date bids are opened - include UDBE address and phone number)	DOLLAR AMOUNT UDBE
For Local Agency to Complete:			Total Claimed UDBE Participation	
Local Agency Contract Number: _____			\$ <u>0</u>	
Federal-aid Project Number: _____			<u>0</u> %	
Federal Share: _____				
Contract Award Date: _____				
Local Agency certifies that all UDBE certifications have been verified and information is complete and accurate.			Signature of Bidder <u>Rudolph C. Bachmann, President</u>	
			<u>10/7/11</u> (805) 543-1706	
			Date (Area Code) Tel. No.	
Print Name _____			Doug Clay	
Local Agency Representative			Person to Contact (Please Type or Print)	
(Area Code) Telephone Number: _____			Local Agency Bidder UDBE Commitment (Construction Contracts) (Rev 6/26/09)	

Distribution: (1) Original - Local agency files

Local Assistance Procedures Manual

EXHIBIT 15-G1
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EXHIBIT 15-G1 LOCAL AGENCY BIDDER UDBE COMMITMENT (CONSTRUCTION CONTRACTS)

NOTE: PLEASE REFER TO INSTRUCTIONS ON THE REVERSE SIDE OF THIS FORM				
LOCAL AGENCY: _____		LOCATION: <u>Nipomo, CA.</u>		
PROJECT DESCRIPTION: <u>Pipeline Encasement</u>				
TOTAL CONTRACT AMOUNT: \$ <u>178,312.55</u>				
BID DATE: <u>10/7/11</u>				
BIDDER'S NAME: <u>V. Lopez and Sons, Inc.</u>				
CONTRACT UDBE GOAL: _____				
CONTRACT ITEM NO.	ITEM OF WORK AND DESCRIPTION OR SERVICES TO BE SUBCONTRACTED OR MATERIALS TO BE PROVIDED (or contracted if the bidder is a UDBE)	UDBE CERT NO. AND EXPIRATION DATE	NAME OF EACH UDBE (Must be certified on the date bids are opened - include UDBE address and phone number)	DOLLAR AMOUNT UDBE
For Local Agency to Complete:			Total Claimed UDBE Participation	
Local Agency Contract Number: _____			\$ <u>0</u>	
Federal-aid Project Number: _____			<u>0</u> %	
Federal Share: _____				
Contract Award Date: _____				
Local Agency certifies that all UDBE certifications have been verified and information is complete and accurate.			Signature of Bidder _____	
			Date <u>10/7/11</u>	
			(Area Code) Tel. No. <u>805-928-1198</u>	
Print Name _____			Person to Contact _____	
Local Agency Representative			(Please Type or Print)	
(Area Code) Telephone Number: _____			Local Agency Bidder UDBE Commitment (Construction Contracts) (Rev 6/26/09)	

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EXHIBIT 15-G1
Local Agency Bidder UDBE Commitment (Construction Contracts)

EXHIBIT 15-G1 LOCAL AGENCY BIDDER UDBE COMMITMENT (CONSTRUCTION CONTRACTS)

NOTE: PLEASE REFER TO INSTRUCTIONS ON THE REVERSE SIDE OF THIS FORM

LOCAL AGENCY: Central Coast Water Authority LOCATION: Nipomo, CA

PROJECT DESCRIPTION: Encasement of 42" Pipeline for San Luis Obispo County Willow Road Extension Project

TOTAL CONTRACT AMOUNT: \$ _____

BID DATE: October 7, 2011

BIDDER'S NAME: Granite Construction Company

CONTRACT UDBE GOAL: 7.1%

CONTRACT ITEM NO.	ITEM OF WORK AND DESCRIPTION OR SERVICES TO BE SUBCONTRACTED OR MATERIALS TO BE PROVIDED (or contracted if the bidder is a UDBE)	UDBE CRT NO. AND EXPIRATION DATE	NAME OF EACH UDBE (Must be certified on the date bids are opened - include UDBE address and phone number)	DOLLAR AMOUNT UDBE
Ø	Ø	Ø	Ø	Ø

For Local Agency to Complete:

Local Agency Contract Number: _____

Federal-aid Project Number: _____

Federal Share: _____

Contract Award Date: _____

Local Agency certifies that all UDBE certifications have been verified and information is complete and accurate.

Print Name _____ Signature _____ Date _____
Local Agency Representative

(Area Code) Telephone Number: _____

Total Claimed UDBE Participation \$ ~~Ø~~ %

Signature of Bidder *Jigisha Desai*
Jigisha Desai, Vice President
10/07/11 831/724-1011
Date (Area Code) Tel. No.
Matthew Grimm, Lead Estimator
Person to Contact (Please Type or Print)
Local Agency Bidder UDBE Commitment (Construction Contracts)
(Rev 6/26/09)

Distribution: (1) Original - Local agency files